



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Richard Medel,
Assistant Social Work Supervisor,
Psychiatric (PS6985H), Greystone
Park Psychiatric Hospital

Examination Appeal

CSC Docket No. 2019-1194

ISSUED: NOVEMBER 26, 2018 (SLK)

Richard Medel appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Assistant Social Work Supervisor, Psychiatric (PS6985H), Greystone Park Psychiatric Hospital.

The examination at issue was announced with specific requirements that had to be met as of the March 22, 2018 closing date. The education requirements were a Bachelor's degree. The experience requirements were two years of experience in psychiatric social case work, including gathering and disseminating client information and the development and implementation of individualized and client oriented treatment plans. A total of seven employees applied for the subject examination which resulted in six eligibles being admitted. The test has not yet been scheduled.

On his application, the appellant indicated that he possessed a Bachelor's degree and was provisionally serving in the subject title from November 2017 to the March 22, 2018 closing date. Personnel record also indicate that he was a Social Worker 2, Psychiatric/Deaf Language Specialist (Social Worker 2) from December 2011 to November 2017. Agency Services credited the appellant with having met the education requirement and five months of experience based on his provisional service in the subject title, but determined that he lacked one year and seven months of experience.

On appeal, the appellant describes his experience as a Social Worker 2 and his current duties while serving provisionally in the subject title. Additionally, the appellant attaches a resume that indicates that prior to State service, he had 10 years of experience working for various community mental health programs. He explains that his background provided him the skill to perform the duties of a Social Worker 2. Additionally, he submits a letter from his supervisor that explains that the appellant was chosen to serve provisionally in the subject title based on his six years of experience as a Social Worker 2, which she asserts that he performed at the highest standard.

CONCLUSION

N.J.A.C. 4A:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) provides that a rule may be relaxed for good cause in a particular circumstance in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination as he did not list any experience other than his provisional service in the subject title. On appeal, the appellant describes how, for nearly six years, he performed the required duties as a Social Worker 2. Additionally, he highlights his 10 years of experience prior to State service working for various community health programs. The importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Agency Services can make the initial determination whether to admit or reject an applicant. Agency Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner. Although *N.J.A.C.* 4A:4-2.1(f) proscribes the amendment of an application after the closing date set in the announcement, the Civil Service Commission (Commission) finds good cause to accept the appellant's amendment to his application. Specifically, the appellant's supervisor confirms that he performed the required duties as a Social Worker 2 and explains that he was hired provisionally in the subject title because he performed those duties at the highest standard for the required time. Further, the Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. *See Communications Workers of America v. New Jersey Department of Personnel*, 154 *N.J.* 121 (1998). In this regard, the Commission is satisfied that the appellant's experience as a Social Worker 2 warrants his admission to the subject examination. Accordingly, good cause is established to relax the provisions of *N.J.A.C.* 4A:4-2.1(f) and admit the appellant to the subject examination.

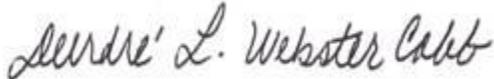
The Commission cautions the appellant that, in the future, he should ensure that any applications are fully and completely filled out as his failure to do so will be cause for rejection from the selection process. Finally, this determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that this appeal be granted.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 21st DAY OF NOVEMBER, 2018



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